



General Assembly

**Substitute Bill No. 5601**

February Session, 2008

\* \_\_\_\_\_ HB05601APP \_\_\_\_\_ 040108 \_\_\_\_\_ \*

**AN ACT BANNING CHILDREN'S PRODUCTS CONTAINING LEAD,  
PHTHALATES OR BISPHENOL-A.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 21a-335 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2009*):

4 (e) "Hazardous substance" means: (1) (A) Any substance or mixture  
5 of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is  
6 a strong sensitizer, (v) is flammable or combustible, or (vi) generates  
7 pressure through decomposition, heat or other means, if such  
8 substance or mixture of substances may cause substantial personal  
9 injury or substantial illness during or as a proximate result of any  
10 customary or reasonably foreseeable handling or use, including  
11 reasonably foreseeable ingestion by children; (B) any substances which  
12 the administrator by regulation finds meet the requirements of  
13 subdivision (1) (A) of this subsection pursuant to the provisions of  
14 subsections (b) and (c) of section 21a-336; (C) any substance classified  
15 as a hazardous substance pursuant to federal regulations adopted  
16 under the authority of the federal Hazardous Substances Act (15 USC  
17 1261 et seq.); (D) any radioactive substance, if, with respect to such  
18 substance as used in a particular class of article or as packaged, the  
19 administrator determines by regulation that the substance is

20 sufficiently hazardous to require labeling in accordance with this  
21 section and sections 21a-336 to 21a-346, inclusive, in order to protect  
22 the public health; (E) any toy or other article (i) intended for use by  
23 children which the administrator by regulation determines in  
24 accordance with subsection (a) or (b) of section 21a-336 presents an  
25 electrical, mechanical or thermal hazard, (ii) marketed for the use of  
26 children under the age of twelve years, containing lead in  
27 concentrations exceeding forty parts per million, or Di(2-ethylhexyl)  
28 phthalate (DEHP), dibutylphthalate (DBP) or butyl benzyl phthalate  
29 (BBP), in concentrations exceeding one-tenth of one per cent, or (iii)  
30 capable of being put in a child's mouth, containing Diisononyl  
31 phthalate (DINP), diisodecyl phthalate (DIDP) or di-n-octylphthalate  
32 (DnOP), in concentrations exceeding one-tenth of one per cent or  
33 containing bisphenol-A; (2) "hazardous substance" shall not apply to  
34 economic poisons subject to the federal Insecticide, Fungicide and  
35 Rodenticide Act or chapter 441 nor to foods, drugs and cosmetics  
36 subject to chapter 418, nor to substances intended for use as fuels when  
37 stored in containers and used in the heating, cooking or refrigeration  
38 system of a house, but such term shall apply to any article which is not  
39 itself an economic poison within the meaning of the federal Insecticide,  
40 Fungicide and Rodenticide Act or said chapter 441 but which is a  
41 hazardous substance within the meaning of subdivision (1) of this  
42 subsection by reason of bearing or containing such an economic  
43 poison; and (3) "hazardous substance" shall not include any source  
44 material, special nuclear material or by-product material as defined in  
45 the Atomic Energy Act of 1954, as amended, and regulations issued  
46 pursuant thereto by the Atomic Energy Commission.

47 Sec. 2. (NEW) (*Effective from passage*) The Commissioner of  
48 Environmental Protection may participate in an interstate  
49 clearinghouse to (1) classify chemicals existing in commercial goods  
50 into one of four categories, those of: (A) High concern, (B) moderate  
51 concern, (C) low concern, or (D) unknown concern; (2) organize and  
52 manage available data on chemicals, including, but not limited to,  
53 information on uses, hazards and environmental concerns associated

54 with chemicals; (3) produce and inventory information on safer  
55 alternatives to specific uses of chemicals and model policies and  
56 programs related to such alternatives; (4) provide technical assistance  
57 to businesses and consumers relating to safer chemicals; and (5) other  
58 activities related to this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	21a-335(e)
Sec. 2	<i>from passage</i>	New section

**APP***Joint Favorable Subst.*